In the interview of March 16, 1999, the Examiner stated:

> Evidence addressing the claimed mixing temperature range of from 100-150°C over the closest prior art temperature of 65°C in Exs. 1 and 17 of European patent would be considered for those species of flow improvers tested wherein the types and amounts of acrylic A) and flow improver B) are held constant and mixing temperatures of 65°C, 100°C and 150°C are employed.

A Declaration Under 37 C.F.R. §1.132 believed to be consistent with the Examiner's requirement for demonstrating unobviousness of the claimed invention thus was filed on June 25, 1999. A copy of this Declaration is attached for the Examiner's convenience. In the Advisory Action of June 29, 1999, however, the Examiner considered the showing in this Declaration to be inconclusive inasmuch as there is no comparison involving melts at the lower, midrange and upper limits of the claimed melt temperature range of 100 to 100°C to compare with the results at the prior art temperature of 35°C. Further, the results are based on visual observations which are a function of the observer and cannot be verified in the absence of an empirical basis for the determination melt appearance such as microphotographs. Also, showings are not commensurate in scope with the claims because the testing of a single type of flow improver does not confer patentability to the class of flow improvers as claimed.

A Supplemental Declaration Under 37 C.F.R. §1.132 thus is submitted herewith addressing itself and remedying the inadequacies asserted by the Examiner. Specifically, the Declaration now factually establishes unexpected results with representative flow improvers of the claimed class at the claimed mixing temperature range, as compared to the 65°C mixing temperature of the European patent, the closest prior art. Note that the Examples in

the Declaration are with the same components and concentrations, the only difference being the mixing temperatures.

Consequently, it is readily apparent that unobvious and unexpected results are obtained by the claimed invention, rebutting any possible presumption of obviousness conceivably made out by the prior art.

Withdrawal of the rejection of the claims under 35 U.S.C. §103 thus is requested.

It is submitted that the claims define a patentable invention. Their allowance is solicited.

Respectfully submitted,

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